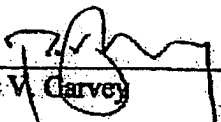



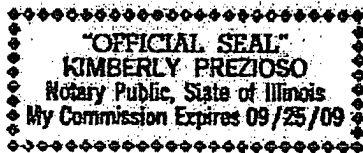
5. On December 13, 2007, I responded to Mr. Baldwin's December 12 letter, by sending by facsimile a letter back on behalf of TradeRight. A true and correct copy of my letter is attached as Exhibit B.

I hereby certify that the foregoing statements are true and correct under penalty of perjury pursuant to the laws of the State of California.

  
James V. Garvey

Subscribed and sworn to before  
me this 19th day of December 2007

  
Notary Public





## **Exhibit A**

**BALDWIN LAW GROUP**

**PATRICK BALDWIN**  
**CHRISTOPHER P. MADER**

**580 OAK GROVE AVENUE**  
**SUITE 207**  
**MENLO PARK, CALIFORNIA 94025**  
**TEL (650) 326-8195**  
**FAX (650) 326-0467**

**OF COUNSEL**  
**MICHAEL C. MILLER**

**Letter of Transmittal**

To: Mr. James Garvey, Esq.  
Vedder Price

From: Patrick Baldwin, Esq.  
Christopher P. Mader, Esq.  
Baldwin Law Group

Re: TradeRight Securities, Inc. and Enterprise Trust Company

Date: December 12, 2007

Number of pages, including cover page: 5

Remarks:

Transmitted herewith:

- |  |   |
|--|---|
| <input type="checkbox"/> For filing                  | <input type="checkbox"/> For your client's signature and return |
| <input type="checkbox"/> For production/answers      | <input type="checkbox"/> Per our conversation                   |
| <input type="checkbox"/> For your review and comment | <input type="checkbox"/> See remarks below                      |
| <input type="checkbox"/> For direct payment          |   |

Original to follow via:

☐ Regular mail    ☐ Overnight mail    ☒ Original will not follow

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PLEASE CALL US IMMEDIATELY AT (650) 326-8195 IF ANY PART OF THIS TRANSMISSION  
FAILED, WAS NOT CLEAR, OR WAS MISDIRECTED.

**BALDWIN LAW GROUP**

PATRICK BALDWIN  
CHRISTOPHER P. MADER

530 OAK GROVE AVENUE  
SUITE 207  
MENLO PARK, CALIFORNIA 94025  
TEL (650) 326-8195  
FAX (650) 326-0167

OF COUNSEL  
MICHAEL C. MILLER

*Via Facsimile and Regular Mail*

December 12, 2007

Mr. James Garvey, Esq.  
Vedder Price  
222 North LaSalle Street  
Chicago, IL 60601

Ms. Rebecca Townsend  
Enterprise Trust Company  
600 Enterprise Drive, Suite 220  
Oak Brook, IL 60523

RE: TradeRight Securities, Inc. and Enterprise Trust Company

Dear Mr. Garvey and Ms. Townsend:

As you know, we represent Ruth P. Gomez.

On behalf of Mrs. Gomez, we hereby demand that all mutual funds, stocks and assets owned by Mrs. Gomez immediately be transferred to AG Edwards & Sons, Inc. Account Number 3029-4723, held in the name of the Ruth P. Gomez Trust Dated August 6, 1982.

Mrs. Gomez's registered representative at AG Edwards is Mr. Jim Baney — 456 Montgomery Street, 16<sup>th</sup> Floor, San Francisco, California 94104, (415) 982-2900. Donna Tomlin of AG Edwards will be handling the account transfer — One North Jefferson, St. Louis, Missouri, 63103, (314) 955-4336.

While we demand that all mutual funds, stocks and assets owned by Mrs. Gomez immediately be transferred to AG Edwards, the following is a list of the assets as of December 2007 of which Mrs. Gomez is aware<sup>1</sup>:

<u>Investment</u>	<u>Shares</u>	<u>Value</u>
American Funds — American Mutual Fund	1,259	Unknown
American Funds — CA Tax Exempt Money Fund	Unknown	Unknown
American Funds — New World Fund	27,349	Unknown
American Funds — Fundamental Investors Fund	3,038	Unknown

<sup>1</sup> TradeRight and Enterprise have refused to provide an accounting of her funds, stocks and assets, despite her repeated requests.

American Funds — Capital World Growth Fund	2,034	\$85,282
Calvert Funds — Mid Cap Value Fund	1,628	\$31,545
Calvert Funds — Social Investments Equity Fund	906	\$33,600
First Eagle — Global Fund	2,457	\$111,826
First Eagle — US Value Fund	2,154	\$33,837
Parnassus — Equity Income Fund	1,138	\$28,267
Pioneer Funds — Protected Principal Fund	Unknown	Unknown
Pioneer Funds — Real Estate Fund - IRA	967	\$32,636
Wells Fargo — S&P REIT	4,436	\$61,087
Washington Mutual — SEP IRA	2,653	\$92,517
Unknown Fund Company — Dividend Growth	2,193	Unknown
Unknown Fund Company — New Alternative	838	\$36,797
Unknown Fund Company — Tax Exempt Money	Unknown	\$292
Unknown Fund Company — Tax Exempt CA	6,148	\$103,417
Portfolio of Individual Equities	Unknown	Approx. \$200,000

By continuing to hold Mrs. Gomez's assets in the name of Enterprise Trust Company ("Enterprise") and treating Enterprise as the owner of those assets, TradeRight Securities, Inc. ("TradeRight") is furthering the fraud of Enterprise, conspiring with Enterprise and aiding, abetting and facilitating the same.

Please recall that in July 2007, Mrs. Gomez revoked *in writing* any authority of Enterprise may have had under the Enterprise Agency Agreement — the Agreement where Enterprise fraudulently gained discretion over Mrs. Gomez's accounts. As of July 2007 Enterprise had no authority, if it ever had any, over Mrs. Gomez's accounts.

Yet since that time Mrs. Gomez continues to experience significant difficulty in removing her accounts from the control of Enterprise. The two Trade Confirmations issued by TradeRight concerning the recent liquidation of two of Mrs. Gomez's Calvert Funds falsely reflect Enterprise as the owner of Mrs. Gomez's funds — TradeRight is shown as the broker-dealer of record on the two November 26, 2007 Trade Confirmations relating to the liquidation of 998.70 shares of Mrs. Gomez's Calvert Social Investment Fund (CSIFX) and 1,446 shares of Calvert Fund New Vision Small Cap Fund Class "A" (CNVAX) and "Enterprise Trust Company c/o Enterprise Advisory Group" is shown as the owner.

The above Trade Confirmations make clear that Enterprise and TradeRight have ignored the revocation and with the help of TradeRight, Enterprise continues to exercise control over Mrs. Gomez's assets despite having no authority to do so. TradeRight, among other things, continues to hold Mrs. Gomez's assets in the name of Enterprise and facilitate the fraud of Enterprise. (Although Mr. Garvey *now* states he only represents TradeRight, notice of revocation of the Enterprise Agency Agreement was sent to him as counsel for both Enterprise and TradeRight.)

Please present immediate documentary proof that TradeRight has recorded these changes on its books and records and a complete listing of the same.

Sincerely,

  
Patrick Baldwin

cc: Calvert Group (*Via Regular Mail*)  
4550 Montgomery Avenue  
Suite 1000 North  
Bethesda, MD 20814

American Funds (*Via Regular Mail*)  
PO Box 25065  
Santa Ana, CA  
92799-5065

First Eagle (*Via Regular Mail*)  
PO Box 219324  
Kansas City, MO 64121-9324

Parnassus (*Via Regular Mail*)  
One Market - Stuart Tower, Suite 1600  
San Francisco, CA 94105

Pioneer Funds (*Via Regular Mail*)  
PO Box 55014  
Boston, MA 02205-5014

Joseph D. Edmondson Jr., Esq. (*Via Facsimile*)  
Foley & Lardner LLP  
3000 K Street, N.W.  
Suite 500  
Washington, DC 20007

Jim Baney (*Via Regular Mail*)  
AG Edwards & Sons, Inc.  
456 Montgomery Street, 16<sup>th</sup> Floor,  
San Francisco, CA 94104

Donna Tomlin (*Via Regular Mail*)  
AG Edwards & Sons, Inc.  
One North Jefferson  
St. Louis, MO 63103

Ruth P. Gomez (*Via Facsimile*)  
505 Durham Road  
Fremont, CA 94539



## **Exhibit B**

## VEDDER PRICE

JAMES V. GARVEY  
312-609-7712  
jgarvey@vedderprice.com

VEDDER, PRICE, KAUFMAN & KAMMHOLZ, P.C.  
222 NORTH LASALLE STREET  
CHICAGO, ILLINOIS 60601  
312-609-7500  
FAX: 312-609-5005

CHICAGO • NEW YORK CITY • WASHINGTON, DC • ROSELAND, NJ

December 13, 2007

### VIA FACSIMILE

Patrick Baldwin  
Baldwin Law Group  
530 Oak Grove Avenue  
Suite 207  
Menlo Park, California 94025

Re: Ruthe P. Gomez and TradeRight Securities, Inc.

Dear Mr. Baldwin:

I am responding to your email to me dated December 12, 2007, and to the letter you faxed to me later on the same day.

Your communications continue to reflect a fundamental misunderstanding on your part with respect to the issues raised, and your repeated allegations of fraud, conspiracy, aiding and abetting, etc., are entirely baseless. As she has done throughout this unfortunate episode, your client continues to make false and misleading statements of fact.

In response to the above communications, please note:

- Contrary to your email, TradeRight does not issue trade confirmations of any kind for any customer. Rather, confirmations are issued directly by the clearing firm.
- As of the dates in question, TradeRight would automatically be listed or shown as broker-dealer of record, since Enterprise was TradeRight's client.
- Regardless of any revocation of discretion by Ms. Gomez vis-à-vis Enterprise, shares would remain with Enterprise until Ms. Gomez provided instruction to Enterprise to move them to a specifically-identified other entity, or to otherwise liquidate them.
- Enterprise, not Ms. Gomez, is TradeRight's client. When Ms. Gomez signed the agency agreement with Enterprise, she became Enterprise's client.
- TradeRight has not exercised any control over Ms. Gomez's assets.